

FILE NO.: S-878-D

NAME: Mapco John Barrow Subdivision Site Plan Review

LOCATION: Located on the Northeast corner of Kanis and John Barrow Roads
(8700 and 8818 Kanis Road)

DEVELOPER:

NTI Investments LLC
7102 Commerce Way
Brentwood, TN 37027

ENGINEER:

Barge, Waggoner, Summer & Cannon, Inc.
Attn. Jay Fulmer
211 Commerce Street Suite 600
Nashville, TN 37201

AREA: 1.2 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District

PLANNING DISTRICT: 10 – Boyle Park

CENSUS TRACT: 24.03

VARIANCE/WAIVERS: A variance from Sections 30-43 and 31-210 to allow the drives nearer the property lines than typically allowed per ordinance. (150 feet from the property lines and 300 feet from the intersection)

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is seeking approval per Section 31-13 of the Little Rock Code to allow the construction of multiple buildings; a 4,800 square foot convenience store and a 44-foot by 144-foot fuel canopy, on this 1.2 acre parcel. The store is proposed with ten (10) fuel dispensers. The front of the building and the fueling center are located facing Kanis Road.

The request includes a variance from Sections 30-43 and 31-210 to allow the placement of the drive on Kanis Road and on John Barrow Road nearer the property line and nearer the intersection than typically allowed per the Subdivision and Boundary Street Ordinances. Per the typical ordinance standard drives are to be located 150 feet from the property line and 300 feet from an intersection. The drive on Kanis Road is proposed 25 feet from the eastern property line and 230 feet from the intersection of John Barrow and Kanis Roads. The drive on John Barrow Road is located 50 feet from the northern property line and 238 feet from the intersection of John Barrow and Kanis Roads.

The request also includes the abandonment of a utility easement running north and south along the common lot lines of the existing lots.

B. EXISTING CONDITIONS:

The property contains two buildings; a vacant branch bank and a vacant retail building. North of the property is a strip center which contains a mixture of office and commercial uses. Along John Barrow Road to the north are a number of office and commercial businesses contained within strip centers and within stand alone buildings. At the intersection of John Barrow and Kanis Road there are convenience stores on the northwest and southwest corners. Across John Barrow Road is a carwash, an office use in a converted single-family home and a tobacco store. West of the intersection of John Barrow and Kanis Road begins a number of medical offices and clinics and further west is the Baptist Hospital Campus.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff not has received any comment from area residents concerning the proposed request. All property owners located within 200 feet of the site along with the John Barrow Neighborhood Association, the Twin Lakes B Property Owners Association, the Twin Lakes A Property Owners Association, the Pennbrook Clover Hill Property Owners Association and the Brownwood Terrace Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Kanis Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45-feet from centerline will be required. At arterial/arterial intersection the applicant shall dedicate an additional 10-feet of right-of-way for a right turn lane. Total dedication is 55-feet.
2. John Barrow Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45-feet from centerline will be required.

3. A 20-foot radial dedication of right-of-way is required at the intersection of John Barrow Road and Kanis Road.
4. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Kanis Road including 5-foot sidewalks with the planned development. A right turn lane should be constructed adjacent to the property. The new back of curb should be located 46-feet from the right-of-way centerline. The back of the sidewalk should be placed at the property line.
5. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
6. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
7. Plans of all work in right-of-way shall be submitted for approval prior to start of work. Obtain barricade permit prior to doing any work in the right-of-way from Traffic Engineering at (501) 379-1805 (Travis Herbner).
8. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan. If detention is already provided on site, the detention must continue to be provided. If detention is not already provided, a comparison should be made of impervious surface area. Detention should be provided for additional proposed impervious surface area.
9. Measures to control the increase in stormwater runoff from the increased impervious surface should be implemented to not damage adjacent property.
10. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
11. Street Improvement plans shall include signage and striping. Traffic Engineering must approve completed plans prior to construction.
12. Coordinate design of traffic signal upgrade if required with proposed street improvements. Plans to be forwarded to Traffic Engineering for approval.
13. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. The width of driveway must not exceed 36-feet and be constructed per Public Works Detail PW-34. Show the wheel tracking of the transport truck on site. A variance should be requested for driveway locations not spaced 150 feet from the property lines and 300 feet from the intersection. Staff believes the Kanis Road driveway should be shared with the existing driveway to the east.

14. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project. Contact Little Rock Wastewater Utility for any additional information.

Entergy: Entergy has 3-phase power line along the street on the west side of the property. There are secondary lines feeding a streetlight on the southwest corner of the plan. The City would have to agree to any relocation. The other poles south and east contain private area lights. Developer would need to work with Entergy for relocation/removal. Contact Entergy at 954-5158 for additional information.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. Contact Central Arkansas Water regarding the size and location of the water meter.
5. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
6. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.

7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.
8. The facilities on-site will be private. When meters are planned off private lines. Private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line agreement is required.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: #3 Baptist and #9 Barrow Road routes serve intersection. Existing bus stop with creative outdoor advertising bus bench located at the northeast corner of intersection. Proposed right turn lane will require moving bus stop further to the east, ineffectively serving businesses/locations at intersection.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: No comment.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinances.
2. An automatic irrigation system to water landscape areas is required.
3. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan prepared by a Design professional as defined by the City's Landscape Ordinance.
4. The Zoning Ordinance requires a street buffer with an average width of twelve (12) feet on Kanis Road and thirteen (13) feet on John Barrow Road. The minimum dimension is one-half of the full requirement, in no case less than nine (9) feet.

5. A small amount of building landscaping is required.
6. Curb and gutter or another approved border is required to protect landscape areas from vehicular traffic.
7. Interior landscape islands at least one hundred-fifty (150) square feet in area and seven and one-half (7 ½) feet in width are required to comprise at least eight (8) percent of the vehicular use area. The plan appears to be deficient in interior landscape area.
8. The dumpster must be screened to comply with Zoning Ordinance requirements.

G. SUBDIVISION COMMITTEE COMMENT: (October 23, 2013)

Mr. Paxton Singleton of Global Surveying was present representing the request. Staff presented an overview of the development stating the request was a Subdivision Site Plan Review for the placement of multiple buildings on a single parcel. Staff stated there was a variance associated with the request related to driveway spacing. Staff noted the ordinance stated driveways were to be placed 150-feet from the property line and 300-feet from the intersection. Staff noted both drives, the drive on John Barrow and the drive on Kanis Road, did not meet this typical spacing requirement. Staff stated all other aspects of the development appeared to comply with the development standards of the zoning ordinance for C-3, General Commercial District zoned property.

Staff questioned the proposed signage plan including building and ground signage. Staff also stated the John Barrow Neighborhood Association was in the process of developing a Design Overlay District and requested the applicant provide details concerning fencing, dumpster screening and location and building materials.

Public Works comments were addressed. Staff stated additional right of way was required to meet the Master Street Plan on Kanis Road. Staff also stated a radial dedication was required at the intersection of John Barrow Road and Kanis Road and right of way to 45-feet was required on John Barrow Road. Staff stated a grading permit was required prior to any construction on the site. Staff also stated plans for construction in the right of way would require approval from Traffic Engineering. Staff stated damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site was to be repaired by the responsible party.

Landscaping comments were addressed. Staff stated the required landscape strip along Kanis Road was to be 12-feet and along John Barrow Road 13-feet. Staff noted the plan indicated a 9-foot landscape strip along Kanis Road. Staff stated they felt the site plan could be modified to include the landscaping required by the City's landscape and buffer ordinances. Staff stated interior islands were to be 7 ½-feet in width and a minimum of 150 square feet in area. Staff stated an automatic irrigation system was required to water landscape strips

and a landscape plan stamped with the seal of a registered landscape architect was required at the time of building permit application.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing a number of the issues raised at the October 23, 2013, Subdivision Committee meeting. The applicant has provided the proposed signage plan, indicated the required landscape strips along Kanis and John Barrow Roads and stated the development would comply with the standards being considered for the John Barrow Road Design Overlay District.

The applicant is seeking approval per Section 31-13 of the Little Rock Code to allow the construction of multiple buildings on this site. The plans include the construction of a 4,800 square foot convenience store and a 44-foot by 144-foot fuel canopy, on 1.2 acres. Ten (10) fuel dispensaries are proposed with the development. The front of the building and the fueling center are located facing Kanis Road. Section 31-13 of the Little Rock Code sets forth procedures for processing multiple building site plans and to establish the standards for the development of site. The Subdivision Site Plan review is a development review process that provides for case by case consideration of project particulars including the provision of parking and landscaping in accordance with the appropriate ordinances, siting of buildings, and the relationship with adjoining properties.

As noted, the property is zoned C-3, General Commercial District. The typical setbacks for this zoning district are 25-feet on the street sides with a 15-foot rear yard setback. There is no side yard setback required when abutting similar zoning. The site plan as presented exceeds the minimum requirements. The setback along Kanis Road is indicated at 30-feet. The setback along John Barrow Road is also indicated at 30-feet and the rear yard setback is indicated at 25-feet.

The site plan indicates the placement of street buffers and landscape strips to comply with the minimum standards of the zoning district. The site plan includes a 12-foot street buffer along Kanis Road and a 13-foot street buffer along John Barrow Road. Interior landscaping and building landscaping will be provided to comply with Chapter 15, the City's Landscape Ordinance requirements.

The request includes a variance from Sections 30-43 and 31-210 to allow the placement of the drive on Kanis Road and on John Barrow Road nearer the property line and nearer the intersection than typically allowed per the

Subdivision and Boundary Street Ordinances. Per the typical ordinance standard drives are to be located 150 feet from the property line and 300 feet from an intersection. The drive on Kanis Road is proposed 25 feet from the eastern property line and 230 feet from the intersection of John Barrow and Kanis Roads. The drive on John Barrow Road is located 50 feet from the northern property line and 238 feet from the intersection of John Barrow and Kanis Roads.

The request also includes the abandonment of a utility easement running north and south along the common lot lines of the existing lots. The applicant must provide letters from the various utility companies and public works stating their agreement with the abandonment prior to the Board of Directors acting on the request.

The property has frontage on two (2) streets and is allowed the placement of two (2) ground signs on the site. The maximum height of the signs allowed is 36-feet and the maximum sign area allowed is 160 square feet. Building signage is allowed on the building facades abutting Kanis and John Barrow Roads. The maximum signage allowed is ten (10) percent of the façade area. Signage is also allowed on the fuel canopy where there is street frontage. This signage is also limited to a maximum of ten (10) percent of the façade area.

The applicant is proposing a monument sign at the southeast corner along Kanis Road and a pylon sign near the southwest corner facing John Barrow Road. Both signs comply with the commercial signage standards established by the zoning ordinance.

Staff is supportive of the request. The request is to allow the placement of a convenience store with a detached fuel canopy on the site. The development appears to comply with the typical ordinance standards with the exception of the placement of the driveways along both the abutting streets. Although there is a variance associated with the placement of the driveways staff does not feel the variance will adversely impact the abutting streets. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the redevelopment of the site as proposed is appropriate.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

PLANNING COMMISSION ACTION:

(NOVEMBER 14, 2013)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of

the agenda staff report. Staff presented a recommendation of approval of the variance request from Sections 30-43 and 31-210 to allow the placement of the driveway located on John Barrow Road and Kanis Road nearer the property line than typically allowed.

There was no further discussion of the item. The chair entertained a motion for approval of the item as recommended by staff. The motion carried by a vote of 8 ayes, 0 noes, 2 absent and 1 open position.